## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN RE LOWER MANHATTAN DISASTER SITE LITIGATION

THIS DOCUMENT APPLIES TO ALL LOWER MANHATTAN DISASTER SITE LITIGATION

21 MC 103 (AKH)

STIPULATION OF DISCONTINUANCE AND COURT ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the actions listed in "Schedule A" attached hereto, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled actions be, and the same hereby are discontinued without prejudice as against THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., and as to the 130 Liberty Street locations only, without costs to either party as against the other.

IT IS FURTHER STIPULATED AND AGREED, that should evidence be discovered throughout the course of the litigation which determines that THE BANK OF NEW YORK MELLON CORPORATION, As Successor To THE BANK OF NEW YORK COMPANY, INC., THE BANK OF NEW YORK, ONE WALL STREET HOLDINGS LLC, 4101 AUSTIN BLVD CORPORATION and THE BANK OF NEW YORK TRUST COMPANY, N.A., is a proper party to these suits, plaintiff may reinstitute these actions without regards to the applicable statute of limitations as a defense.

This stipulation may be filed without further notice with the Clerk of the Court.

Dated: New York, New York May 13, 2008

SEGAL McCAMBRIDGE SINGER & MAHONEY, LTD.
Attorneys for The Bank of New York Mellon Corporation, as Successor to The Bank of New York Company, Inc., The Bank of New York,
One Wall Street Holdings LLC
4101 Austin Blvd. Corporation,
The Bank of New York
Trust Company, N.A.

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SO ORDERED: 6-30-08

HON. ALVIN K. HELLERSTEIN

## **SCHEDULE A**

## STIPULATION AND ORDER OF DISMISSAL RELATED TO 130 LIBERTY STREET COMPLAINTS FOR THE FOLLOWING PLAINTIFFS:

10.	Index #		
	Plaintiff Name	All (AKH)	
1	Stephen Addeo	06CV9963	
2	Kleber Arteaga	08CV02253	
3	Sixto Aviles	08CV02254	
4	Rodrigo Barros	08CV02255	
5	Maria Castro	08CV02257	
6	Joel Chalco	08CV02258	
7	Maria I. Chique	08CV02259	
8	Sarbelia Coballes	08CV02261	
9	Aracelly Cuervo	08CV02262	
10	Belkis Delacruz	08CV02263	
11	Emilsen Delgado	08CV02264	
	Margarita Dominguez	08CV02265	
	Tailor Dominguez	08CV02266	
14	Piotr Fiedziukiewicz	08CV02268	
15	Lizeth Garcia	08CV02270	
	Robert Glancy, Jr.	06CV14689	
17	Manuel C. Gomez	08CV02271	
18	David Guszick	07CV05411	
19	Salma P. Guzman	08CV02273	
20	Jaime Hernandez	08CV02274	
21	Tercida Hernandez	08CV02275	
22		08CV02276	
	Luis C. Jordan	08CV02277	
24	Janusz Karpiuk	08CV02327	
25	Labomir Kmec	08CV02278	
26		08CV02279	
27	Michael Labate	06CV8441	
28		08CV02280	
29	Angel Lopez	08CV02281	
30	Antonio Lopez	07CV05436	
31	Jamie D. Lopez	08CV02282	
32	Rolando Lopez	08CV02283	
33	Henry Lozano	08CV02284	
34	Ligia Luengas	08CV02285	
35	Pedro Macias	08CV02286	
36	Gloria Marrero	08CV02287	
37	Joffre Martinez	08CV02288	
38	Margarita Mattei	08CV02289	